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SUES M'CURDY FOR \$3,370,000.

Mutual Life Charges Him With Unfaithfulness and Neglect.

ALL WASTE PUT UP TO HIM.

Held for Campaign Payments and Expenditures Under Yellow Dog Fund.

The Former President Also Asked to Make Resiltution of the "Unauthorized" Increase of His Salary, the "Exorbitant" Profits and Certain Gratuities That Went to Son-in-Law Thebaud's Agency Firm and the Commissions Son Robert Got Out of the Company's Foreign Business-All of Which, It's Alleged, Care Would Have Stopped.

The complaint in the Mutual Life Insurance Company's suit against Richard A. McCurdy was served yesterday on the defendant's counsel, De Lancey Nicoll, of Nicoll, Anable & Lindsay.

The Mutual seeks to recover from its former president \$3,370,341.66, with interest, as damages for his "unfaithfulness and neglect." Mr. McCurdy is held personally responsible for practically all the waste that has been uncovered in the Mutual. If he did not know of the extraordinary expenditures made he was, the company alleges, negligent in the discharge of his duties and therefore liable.

The complaint served yesterday is only one of eight that will be served in actions begun by the company against the former president, his son, Robert H. McCurdy, and the members of the metropolitan agency firm of C. H. Raymond & Co., who include ex-President McCurdy's son-inlaw. Louis A. Thébaud.

The complaint served yesterday con tains nine separate causes of action. Under the first five recovery is sought in the aggregate of \$292,500 as alleged contributions to political parties since January 1, 1885. These contributions are said to have been \$15,000 in 1896, \$35,000 in 1900 and \$40,000 in 1904 to the Republican national committee; \$2,500 in 1904 to the Republican Congressional committee, and \$200,000, embracing the various contributions which Senator Platt testified before the Armstrong committee had been made by the Mutual January 1, 1885

President McCurdy testified before the Armstrong committee that the Mutual had never contributed to the State campaigns. In connection with each of these five causes of action it is alleged

That the said payments were unlawful, in provident and a waste of the assets of the plaintiff, and were made, authorized or permitted by the defendant through want of authfulness and ordinary care, vigilance and diligence in the discharge of his aforesaid dules to the plaintiff; that the said payments were made without authority or authorization by the plaintiff, were not for any of its corpo rate purposes and were beyond the lawful powers of the plaintiff as a corporation, and he defendant neglected to establish coper and adequate rules and regulations to revent the said payments and the contribu tion of the plaintiff's moneys to political par-

The sixth cause of action seeks to re cover from Mr. McCurdy \$225,000, repreeenting the total of the \$50,000 alleged increase in annual salary drawn by him since June 1, 1901. It is alleged that the increase from \$100,000 to \$150,000 was made without

authority. Under the seventh cause the recovery is sought of \$600,000, the aggregate amount paid out by the plaintiff in the last six years on the voucher of the committee on expenditures under circumstances detailed in the testimony before the Armstrong committee. These are the payments of \$25,000 quarterly which the Mutual made on the order of Robert Olyphant, chairman of the committee on expenditures.

The Armstrong committee was never able to find out what became of the money. Mr. Olyphant testified that he paid it over to the law department of the company. In regard to this the complaint alleges:

That during the said period the main tenance and purposes of the said "confidential fund" and the use made of the moneys constituting the said "fund" were by him, the defendant, or could or should have been known by him by the exercise of due care and faithfumess in the discharge of his aforesaid duties to the plaintiff; that nevertheless, through want of ordinary care, vigilance, diligence and faithfulness in the discharge of his said duties to the plaintiff, the defendant directed or permitted the said "fund" to be maintained and the moneys constituting the same to be expended as aforesaid, and that the defendant neglected to establish proper and adequate rules and regulations to pre and the making of the said expenditures.

The eighth cause of action charges the defendant with a loss to the plaintiff of \$1,250,000 through improvidence and want of faithfulness and diligence in employing the firm of Charles H. Raymond & Co. as the general agents of the Mutual in the metropolitan district and in continuing and even increasing the rates of commissions paid to the firm after it had become apparent that they were making exorbitant profits at the expense of the plaintiff.

Thébaud, the son-in-law of the defendant, was taken into the Raymond firm in 1893 as the successor to Robert H. McCurdy. the defendant's son, who had been appointed superintendent of the Mutual's foreign department by President McCurdy that prior to entering the partnership Thébaud had been employed as a clerk in the office of the Mutual's general agent for New Jersey, and that upon entering

the firm he got a quarter interest, which was increased in 1896 to one-half, in 1902 to two-thirds and in 1903 to three-fourths, making a total net profit to him of nearly

\$800,000 from 1893 to 1904. This was irrespective of Thébaud's inerest in large amounts paid to the firm out of the Mutual's money "practically as gratuities." These gratuities are said to aggregate not less than \$500,000 and to have been paid to the firm without any consideration moving to the plaintiff. These gratuities were not disclosed by the Arm-

It is charged, further, that these gratuities and the rates of commission received by Raymond & Co. increased as the interest of Mr. Thebaud in the firm increased, and that in the year 1906 the net profits of the firm from its alleged contracts with the payments thereon not been stopped by the Mutual in November, 1905.

Mr. McCurdy, it is alleged, knew or ought to have known of this condition of affairs, and is responsible for it through his lack of faithfulness and vigilance in the discharge of his duties to the plaintiff.

The ninth cause of action relates to the sum of \$1,282,841.12 received by Robert H. McCurdy as commissions while superintendent of the foreign department, from 1886 to November, 1905. The complaint charges that by reason of President McCurdy's unfaithfulness and neglect these commissions had been allowed at rates which the enormous increase in the foreign business rendered "exorbitant and un-" It is charged further that Robert H. McCurdy while acting as superintendent of the foreign department had for number of years been a member of the firm of Charles H. Raymond & Co. and had received a large share of the profits therefrom, and finally that the services of the younger McCurdy as superintendent could have been amply compensated by a salary not exceeding \$20,000 a year.

The total payments, by the Mutual to the McCurdy family, including Son-in-law Thébaud, as disclosed by the Armstrong insurance committee, amounted to \$4,531,-120. The former president is thus held for more than two-thirds of the total amount. McCurdy's friends have asserted that McCurdy was financially able to meet any

claims the company has against him. The complaints in the remaining actions begun by the Mutual are being prepared and will, it is understood, be served at an early date.

PLAN TO MOVE THAMES STREET. The Trinity Corporation Will Give City Land for a Wider Street.

The Board of Estimate gave a public hearing yesterday on the proposal submitted to the city by the Trinity Corporation, the owner of the Trinity Building at 111 Broadway, to change Thames street by moving it twenty-seven feet to the north. The corporation owns the land on the north and south side of the narrow alleyway and wishes to widen its building twenty-seven feet.

In return it offers to cede property to the city which will allow a new street six feet wider.

The change was favored by property owners representing \$23,000,000 of real estate, while the only opposition came from E. S. Benedict, who appeared for the Citizens' Union, and who contended that as the corporation would gain largely by the adoption of the plan, the city ought to have adequate compensation.

There was also a substitute scheme board for the closing entirely of Thames street and making in place of it a broad thoroughfare of Cedar street, but this was strongly opposed by Father McGean of St. Peter's Church, who explained that the Cedar street widening scheme would wipe out St. Peter's

The whole matter was referred to a committee consisting of the Mayor, Comptroller Metz and President McGowan of the Board of Aldermen.

LET GAS COMPANY OFF LIGHT. Court Rejects the Awards of Tom Grady, Dooling and Byrnes.

On the ground that their awards were totally inadequate, Supreme Court Justice O'Gorman has refused to confirm the report of the three commissioners who were appointed to determine how much the city and State were entitled to for their easements in the East River and Ward's Island. which will be invaded by the new tunnel and shaft of the East River Gas Company of Long Island City when it builds its connection from 110th street to Astoria.

The commissioners are Senator Tom Grady, County Clerk Peter J. Dooling and ex-Police Superintendent Thomas F. Byrnes. Contrary to the usual custom, these men will not be allowed to revise their report. Justice O'Gorman says that a new commission must pass on the questions in-

volved. Corporation Counsel Delany, it appears. told the court, when the awards and report came up for confirmation, that the easements of the city and State in Ward's Island were considered very valuable and that, moreover, experts had declared that the gas company would save at least \$100,000 by the shaft. The commissioners set down the whole value of the easements at \$5,028 and disregarded totally the State's claim as lessee of the island.

TEN YEARS FOR CAR CONDUCTOR Who While Spelling the Motoritan Caused

Mail Wagon Driver's Death. Albert Oreman of 364 East Fifty-ninth street, the conductor who was convicted in General Sessions of manslaughter, was sentenced to ten years in Sing Sing by Judge Foster in General Sessions yesterday. Oreman was the conductor of a Lexington avenue car that ran into a mail wagon and killed the driver, Bernard McDonald of 6 Grant avenue, Astoria.

It is the first criminal case in years in which a street car employee has been convicted of manslaughter. The motorman had gone inside of his car to talk to a woman passenger, and Oreman took charge of the conroller. The car got away from him and hit McDonald's wagon.

"As a warning to careless motormen and chauffeurs, it is my duty to impose a heavy sentence on you," said Judge Foster. hope it will be an object lesson against carelessness by such men as you. I have been reliably informed that the New York City Railway Company pays \$2,000,000 a year to settle damage suits. In nearly all instances these suits have been the result of gross carelessness by such men as you. often resulting in death and loss of limb.

This must be stopped." The railroad company settled with Mc-Donald's family for \$20,000.

VOLLEY OF SEWER BLOWUPS

MANHOLES SAIL SKYWARD-RAIN OF BROKEN GLASS.

Dozens of Panies on the Upper West Side in the Explosion Belt-Tenement House Floor in Waves-Snow and Tide to Blame for Volume of Gas in Sewer.

The manhole covers of the sewers in district bounded by Ninth avenue, North River, Fifty-first and Fifty-third streets were blown off at 4 o'clock yesterday afternoon by an explosion that sounded like a fire in a dynamite factory. The explosion shattered all the covers, broke nearly all plaintiff would have exceeded \$200,000 had the glass in the upper stories in the affected district, scorched the hair off a horse chewed up several pedestrians with flying glass and made a series of nice little panics in the tenement house district. A high tide, a frost and a few leaks in the illuminating gas mains formed the combination of causes behind it.

There is something the matter with the sewer system in that district of the city anyway. The explosion of manhole covers has been all too frequent of late. There was an unusually high tide yesterday. The outlets to the river were backed up by the water, and owing to the snow in the streets the vents in the manhole covers, which usually let off superfluous gas, were choked up. Sewer gas is not inflammable, but ordinary domestic coal gas is. The gas mains cross the sewers at the street corners, so that there is usually a leakage of illuminating gas into the sewers. Yesterday, owing to the high tide and the stoppage of the mashole vents, there was an underground blast primed and ready. The spark that set it off may have come from a cigarette, from an unguarded electric light wire or from the snow ploughs which were at work cleaning the streets. At any rate, the whole business blew up at five minutes past &

The ignition must have taken place somewhere in the neighborhood of Fiftyfirst street and Ninth avenue, for this was the place where the explosion was the heaviest. There are six manhole covere strung along Ninth avenue in the course of two blocks. A gang of 150 Italian workmen and teamsters were at work there cleaning the street.

All of a sudden every manhole cover went up until it struck the elevated structure, and out of the holes jumped geysers of fire. The explosion was strong enough to knock people down in the street and to break nearly every window in the surrounding buildings above the ground floor.

The American boss of the Italians was dropped into a sitting posture on the side-When he had arisen and fortified his nerves with a glass of whiskey he looked about for his men. They were not there They had not returned up to quitting time It is not known if any of them was hurt but certainly none of them was hurt badly enough to hamper his running.

The explosion travelled along Fifty-first street to the river and sent side trails up Tenth and Eleventh avenues. Nearer to the river its force was slighter, but it took off every cover but one and broke two out of three windows all the way along. Everywhere was the same story-up went the manhole covers, out went the windows. and a pillar of flame shot up to the level of the second story.

A load of snow was making its way toward Broadway from the river on Fifty-firs street and a delivery wagon, driven by Martin Roane, was travelling in the opposite direction. They turned out for hole cover. Just then up went the cover The pillar of flame caught the nigh horse of the snow wagon, scorching off his mane and tail so that he looked like a Mexican hairless horse, but doing no further dam

age to him. It caught also the ear of Roane's horse who plunged and chucked his driver out. Roane fell on a pile of broken glass and was pretty badly cut. The horses added to the confusion on Fifty-first street by running away in opposite directions.

Miss Rose Kearns was going along Ninth avenue when a bucketful of glass from a broken upstairs window came down on her cutting her face and wrists. In fact when the surgeons dashed with the ambulances from Roosevelt Hospital they found a dozen people with cuts from the flying glass. As every one was taught in school, window glass broken by explosion always falls outward, owing to the air pad within. Ninth avenue and Fifty-first street were so thickly strewn with broken glass last night that walking, except with the thickest shoes, was

Only one cover along Fifty-first stree failed to blow up, and at that point the explosion did 'a peculiar trick. Mrs. Margaret Hayes lives in the basement at 551. A enement house visitor had called to see how she was getting along, and in the crib in the corner her baby Martin was asleep. Mrs. Hayes gave the visitor a seat in the company rocking chair.

"And how are we doing to-day?" the visitor was saying, when her rocking chair was blown out from under her and into the crib with the baby. Mrs. Hayes, with a mother's instinct, grabbed the boy and rushed out into the hall with it. The visitor screamed and fainted, and just then there came a second explosion which blew the floor of the basement into forty different curves and waves. This house is owned by a policeman. Up to 6 o'clock this feature of the explosion had not been reported to the West Forty-seventh street police station. It is supposed that the manhole cover at that point was frozen down so tightly that it held, and the burning gas sought its weakest outlet, which

happened to be under Mrs. Hayes's floor. The explosion played the queer tricks common with explosions. In the block of Ninth avenue between Fifty-first street and Fifty-second streets it broke every window above the first story in every house but one. In this one house not window was broken. On the other hand. it spared the ground floor windows in every building but two. The whole front of a cigar and candy store at 768 was blown in, and the laundry next door lost one plate glass window.

There was a wild call for glaziers all along the street, since it was a cold evening, but the glaziers could not work fast enough and the houses all along the line showed a row of windows stuffed with mattresses feather beds and quilts.

This is the third manhole explosion in that district this winter. The first occurred on election day, the second on February 9

that made the highbest famous.-Ada

EXPECT REBATE INDICTMENTS. | SEES ROOSEVELT ON MOROCCO

Grand Jury Hears Further the Case Agains Sugar Company and Railroads

Several new witnesses appeared before the Federal Grand Jury yesterday in the investigation of the alleged rebating between the trunk lines and the American Sugar Company.

It is understood that enough evidence has already been given to insure the indictment of several of the leading officers of the American Sugar Company, as well as some prominent railroad men. Indictments will be handed down, it is believed, in about ten

Cashier Boardman of the New York Central fast freight lines, with headquarters at Buffalo, was closeted with the Grand Jury yesterday. His testimony followed that of W. F. Wilson, general manager of the same lines, who appeared on Wednesday and told about the arrangements whereby the Central took care of the sugar company and in return got its full share of the enormous through westbound freight of the trust.

This stage of the investigation is regarded as especially important, as the Federal attorneys have considered from the beginning that the strongest case against any of the railroads was that against the Central.

Another new witness was J. F. Bendernagel, general superintendent of the refining plant of the American Sugar Company in Brooklyn. Yesterday's unusually long session of the Grand Jury was practically all devoted to the testimony of these men, with that of H. T. Leeming, general traffic manager for the Thomas A. Edison Companies at Orange, N. J., formerly a traffic manager for the sugar refiners. R. M. Parker, its present traffic manager, was before the body with half a dozen files of documents bearing on the alleged rebating arrangements. .

DENIAL FROM JUDGE PARKER. Didn't Speak of Roosevelt and McClellan as Rival Candidates. Ex-Judge Alton B. Parker yesterday gave

out the following statement: "An alleged conversation between a man from Maine and the President on the subject of a third term reports the latter, according to the Herald, as having said that second nomination was an impossibility. This has been brought to my attention with the suggestion that it is intended as an answer to an alleged interview or speech

"I do not believe, however, that it was so intended, because it is so much more temperate than his last reply to a statement of mine. But, be that as it may, the fact is that neither in speech nor interview did I at Birmingham or elsewhere make any statement on the subject.

by me while in the South, expressing a

"Nor did I at Jackson or elsewhere suggest Mayor McClellan for the Presidency. My friendship for him would not permit me to make such a suggestion at this time, in view of his well known and often expressed determination not to be a candidate for another public office. The people may later on compel him to forego that determination, but I am sure he does not think so, and I would not wrong him by a suggestion that his friends are planning other-

"Nor is it true, as reported, that Presiding Justice Morgan J. O'Brien was in the South while I was there. He was during that period and all of it with the court over which he presides."

STRUCK DOWN FROM BEHIND. Police Captain Mannion Thinks Dying Man

Is a Victim of Striking Ironworkers. The negro porter at the 156th street station of the Third avenue elevated road found a man yesterday morning lying unconscious on the steps head downward. Apparently he had been struck on the back of the head with a heavy club and knocked senseless

His skull was fractured at the base The man was taken to Fordham Hospital. where Frank Reichert of 3494 Third avenue identified him last night as Joseph Stark, a plasterer's helper, of 809 Melrose avenue

Stark has a wife and two children. Coroner McDonald went to the hospital three times to get an ante-mortem statement, but the man did not recover consciousness. He will die, the doctors said

Capt. Mannion of the Morrisania police station is of opinion that the injured man was a victim of the striking ironworkers who have been giving trouble to non-union men employed on the new power house that is being constructed at 145th street and the East River for the New York Central Railroad Company. He thinks the man may have been mistaken for a non-union iron man. dozen men have been assaulted by the strikers within the past two months, and one of the victims, Joseph Donahue, of 671 East 134th street, is still in Fordham Hospital in a dangerous condition. The man who slugged him was arrested, but jumped his bail.

Reichert said he didn't know where Stark vas working. Dr. Ziegler of the hospital said the wound was not such as a fall would cause, and that it looked as if the man had been assaulted from behind with an iron bar

METROPOLITAN BUYING HORSES. That's Its Only Immediate Solution o East Side Traffic Problems.

politan system called yesterday upon Borough President Ahearn to explain why his company had been unable to carry out the promises of immediate improvement in the street car service on the lower East Side of the city.

Mr. Vreeland told the Borough President that the only solution was to electrify the lines on which horse cars now run.

But, Mr. Vreeland explained, it was i possible to determine upon any plans for such changes until the city had decided upon its schemes for the terminals and approaches for the new bridges over the East River. In the meantime, Mr. Vree land said, his company was arranging for a better service of horse cars by a large purchase of horses in the West and that the nimals were now being shipped here. Mr. Ahearn told Mr. Vreeland that he

One Night to Chicago

would not unduly press the company, but that unless the conditions he had comout his threat to cancel the franchises. Miss Terheyden failed to notice an approaching car. She was thrown with great Insist upon having Burnett's Vanilla .- Adr. force to the pavement and was dead when

by the Twentieth Century Limited of the New York Central Lines. Leave New York 3:30 P. M., arrive Chicago 8:30 next morning. The fastest long distance ride in the world—554 miles in 18 hours. —Adv. The stimulant of sterling value—Dewar's Famous Scotch. Pure and satisfying.—Ade. /

FRENCH AMBASSADOR VISITSTHE WHITE HOUSE WITH ROOT.

Belief in Washington That Settlement Is Near, but There Is Talk at Algeciras of Another Hitch-American Plan May Be Abandoned-Session on Monday.

WASHINGTON, March 23 .- Advices reseived at the State Department from the Moroccan conference at Algeciras indicate hat an agreement will be reached between France and Germany at the next meeting. M. Jusserand, the French Ambassador,

President Roosevelt and Secretary of State Root had an extended conference at the White House late this afternoon. It could not be learned definitely what was discussed, but there is reason to believe that the conference was the main topic of con-

While officials of the Government here decline to admit it, it is certain that this Government has had a good deal to do with the recent debates of the conference at Algeciras. At the State Department it is said that Mr. White, the head of the American mission, has made no proposals to the conference which might form a basis for settlement, but then there is a distinction made between proposals and suggestions which might have come from Arrerican source.

RUMOR OF ANOTHER HITCH. Drafting Committee Said to Have Abandoned American Plan.

Special Cable Despatches to THE SUN ALGEOTRAS, March 23 .- Evening-The usual contradictory rumors followed to-day's session of the drafting committee of he Moroccan conference, which discussed the police scheme. It is now reported that the American-Austrian plan has been abandoned.

BERLIN, March 23.-THE SUN representaive was informed at the Foreign Office to-day that while it could not be said that a full understanding had been reached between France and Germany it was expected that the session of the Moroccan conference on Monday would result in the removal of all obstacles and in a definite agreement.

THE SUN correspondent is assured that he message sent by the Russian Foreign Minister, Count Lamsdorff, to Count Cassini Russian Ambassador to Spain, as to Russia's firm adherence to the French alliance will not effect Germany's policy toward Russia. Paris, March 23 .- The Echo de Paris hus summarizes the probable conditions on which a settlement of the differences between France and Germany at the Moroccan conference will be reached:

Three-fifths of the stock of the state bank will be in French hands. As compensation Germany will receive certain concessions in the police and other questions. At Tangier and Mogador the police will be a mixed force. At the other six ports the police will be French and Spanish The inspector of the whole force will be an Austrian Lieutenant-Colonel, who will report monthly to the Sultan and to the diplomatie corps at Tangier, which will form an international commission, with large powers. The mandate given to France and Spain will be for a term of five

ALGECIRAS, Spain, March 23.-As the sittings of the Morcccan conference have continually been deferred against the wish of the delegates, M. Revoil, the head of the French delegation, and Sir Arthur Nicholson of the English called upon the Duke of Almodovar, president of the conference, this morning with the request that he summon the conference for a sitting this

The Duke replied that it was impossible o do so, owing to the indisposition of Herr von Radowitz, the German delegate, who s confined to his room and is said to be suffering from rheumatism, and because to-morrow he (the Duke) would have to go to Cadiz to bid farewell to King Alfonso on his departure for the Canary Islands. He promised to call a sitting for Monday.

BAROMETER READINGS A-PLENTY

Now the Newspapers and the Public May Have Them From Everywhere.

A change has come o'er the spirit of Prof. Willis L. Moore's guesses. He no longer thinks it unsafe to allow the public to learn from the newspapers the official readings of the barometer. In fact, the press and the public can have all the readings, not only locally, but at all the stations

throughout the country. Late on Thursday evening Chief Moore of the Weather Bureau modified his order so that THE SUN was to be allowed to get the local barometers by sending for them daily, but not by telephone. In accordance with this order a Sun reporter yesterday called on Mr. Emery, the forecaster for Manhattan, and asked for the 3 o'clock reading. Mr. Emery said that it had just been

elephoned to THE SUN "Can I have it, too?" asked THE SUN man. "Certainly you can, and as often as you want, by telephone or any other way." "Can we also have the readings at other

"Those readings are taken at 8 o'clock n the morning, and you can have those

"Why this change?" was asked.

nd had nothing to say. Prof. Willis Moore may only have been teasing. It is possible that he was courting

fame, and teased the public through the

press just as Rory O'More did Kathleen in

Samuel Lover's poem. Fight times we protested, as we had before, "Then here goes another," says he, "to make sure. For there's luck in odd numbers," says Willis L.

The professor has had his fun, the poets have had theirs, and now every one can have the readings of the barometer, not only in this city but all over the country.

WEALTHY WOMAN KILLED BY CAR Thrown Violently to Pavement and Picked Up Dead.

PITTSBURG, March 23. - Migs Sophia Terheyden, one of the wealthiest women in this city, a sister of Henry Terheyden, the diamond merchant, was instantly killed this evening by a street car at Liberty avenue and Gross street. She was 56 years

> dropped rapidly at night. The Governor's remarkable recovery astounded even his three physicians, who had announced that nothing short of a

MILLION FOR MRS. HUNTINGTON. Husband Gives Her Trust Income, but Bare

Her Family From Participation SAN FRANCISCO, March 23 .- Mrs. Huntington, who got a diverce from Henry E Huntington yesterday, will receive \$40,000 year, the income from a trust fund of \$1,000,000.

This is declared to be the basis of a setlement made before the suit was begun. Mrs. Huntington is worth \$300,000 in her own right, and among other things owns the family residence in Jackson street.

If Mrs. Huntington dies before Huntngton does, the trust lapses and the fund ecomes his property again. By this arrangement he prevents the \$1,000,000 from going to any of his wife's blood relatives. Huntington is determined that his former

wife's mother, brother and her sister, Princess Hatzfeldt, of London, shall not enjoy any of his wealth. He also allows two married daughters and a son \$1,000 a month each, and an un-

married daughter \$800 a month

BUS DRIVER'S \$18,000 FIND. He Had Famous Nelson Order for Many Years Without Knowing Its Value.

Special Cable Despatch to THE SUN. LONDON, March 24.- The Telegraph says that the hitherto unknown seller of Lord Nelson's "General Memorandum" to his Captains at the Battle of Trafalgar is a London omnibus driver whose father was a servant of an unnamed Admiral, who gave him an old desk containing the historical document.

The driver who inherited the desk did not know the paper was valuable. He only learned that it was worth money through a chance conversation with a passenger on his omnibus. He has invested the \$18,000 which the document brought recently at an auction at Christie's, and continues driving the omnibus.

RUSSIA'S SLAUGHTER LIST. Government Admits Killing of 14,130 During Last Year's Internal Disorder.

Special Cable Despatch to THE SUN. St. Petersburg, March 23 .- According to he newspapers the Government has re ceived reports showing that 14,130 persons were killed and 19.524 wounded during the internal disorders last year. The newspapers assume that the casualties have been minimized by the officials.

FAREWELL TO HUSBAND. Mrs. Andrew J. Clements Leaves an Affec-

tionate and Hopeful Note. Andrew J. Clements, a fireman on th Pennsylvania Railroad ferryboat Washngton of the Cortlandt street line, who lives at 129 Coles street, Jersey City, found the following note from his wife when he reached home a few nights ago:

The beans are in the oven and done, so you can eat them. Good-bye, sweetheart. From your loving wife, CARRIE.

P. S.—I still will always love you and I want you, dear Andrew, to always love me. I have gone to look out for myself now. I am

work, as I have a job already, CARRIE. Mr. Clements said yesterday that he couldn't account for his wife's action in leaving him. He has been unable to get any trace of her whereabouts. He says he cares just as much for her now as he

POET SUDDENLY SEEKS DEATH. Arthur Upson Leaps Over Bridge Rail

MINNEAPOLIS, March 23 .- Arthur Upson assistant professor of literature in the University of Minnesota, a poet of recognized ability and a protégé of Hall Caine vaulted over the rail of the Tenth avenue bridge into the icy Mississippi to-day. A bridge watchman who saw him leap

hurried down and with the assistance of loggers with pike hooks fished him from the stream to a boom.

He is at the Cit'v Hospital, with slight hance for recovery. When Upson left home he was in high spirits, as he had been for several weeks. A sudden recurrence of melancholia, from which he suffered two years ago, is the only

explanation of his act known to his rela-Although only 27 years old, he has been very successful in his literary work. Three of his books, "Octaves of an Oxford Garden, "West Wind Song" and "The City of Poems,"

were published by New York houses. Two years ago Upson spent several months in Europe, most of the time with Hall Caine on the Isle of Man. Caine declared Upson was the most promising young American poet he knew and has assisted American poet he knew and ha and encouraged him in his work.

WILLIAM ROCKEFELLER WELL. He Wrote to That Effect From Paris Last

Week. TARRYTOWN, N. Y., March 23.-B. M Haws, superintendent at William Rockefeller's country seat, Rockwood Hall, re-ceived a letter from Mr. Rockefeller, written ceived a letter from Mr. Rockefeller, written by him in Paris last week, in which Mr. Rockefeller states that he is in the best of health. Mr. Haws says his employer has been in good health all the time he has been away. He says distinctly that there is no foundation for the report that Mr. Rockefeller has any incurable disease.

SCALLION NOT RUINED. Set Police on a False Scent After Pocket

book With \$100,000 Policy in It. Francis Scallion, a wealthy real estate dealer living at 2010 Se venth avenue, rushed into the West 125th street station last night. He was perspiring profusely and beside himself with worry.

"I have been robbed of my wallet on an elevated train somewhere between Liberty street and Harlem," he told the sergeant.

"I had in it a life insurance policy for \$100,000, a certified check for \$9,500, a Columbia Bank check for \$263 and a \$7,000 bond. You must check for \$263 and a \$7,000 bond. You must find them for me or I'm ruined." They sergeant notified Police Headquar-ters and sent out all the available men he could spare. They were just getting nicely to work when Mr. Scallon called up the police station and said he had found the wallet with all the supposed missing valu-sbles at home.

ables at home. GOV. PATTISON RALLIES.

Family Again Has Hope That He May Win Fight for Life. Columbus, Ohio, March 23.-Gov. John M. Pattison made a wonderful rally early this evening and his friends and family begin to hope that he will yet win his fight

for life. Unconscious this morning, he revived tonight and talked with Mrs. Pattison, seemingly without difficulty. Pulse, respiration and temperature, alarmingly high all day,

miracle could save the patient

WARRANT ASKED FOR PERKINS.

PRICE TWO CENTS.

"Tye After Court Wouldn't Instruct the Grand Jury.

WOULD HIRE JUDGE PARKER

To Help Prosecute the Insurance Officers for the Campaign Contributions.

First Phase of Criminal Inquiry Left in the Air by Judge O'Sullivan Putting Larceny Question Up to the Jurors to Decide for Themselves and Then Refusing to Sit as a Committing Magistrate-"Are Bliss and Cortelyou Receivers of Stolen Goods?" the Distriet Attorney Asks Court-Jerome Won't Tell What His Next Step Will Be.

It was left to the discretion of the Grand Jury by Judge Thomas C. O'Sullivan in General Sessions yesterday to determine whether the officers of life insurance companies committed larceny when they made campaign contributions to political parties. District Attorney Jerome had advised the Grand Jury that in his opinion larceny had not been committed, and the Grand Jury had asked Judge O'Sullivan for his adviće.

In substance Judge O'Sullivan said that it was the duty of the Grand Jury to decide from the evidence presented if there was a criminal intent on the part of the officers of the companies when they gave money to the political parties.

As the views of Judge O'Sullivan and Mr. Jerome differed radically, Mr. Jerome sprung a surprise. He asked Judge O'Sullivan to sit as a committing Magistrate and issue a warrant charging George W. Perkins, vice-president of the New York Life Insurance Company, with larceny. Mr. Perkins testified before the Armstrong committee that he, as a representative of the New York Life, had contributed \$48,000 to Cornelius N. Bliss, then treasurer of the Republican national campaign committee. Mr. Jerome said that if George W. Perkins had committed a crime it ought to be decided one way or the other at once. It ought also to be decided, added Mr. Jerome, wherther Mr. Bliss and George B. Cortelyou had received stolen goods.

Judge O'Sullivan said he couldn't see why the hypothetical questions presented at all. He pleaded stress of public work and suggested to Mr. Jerome that there were fourteen other Magistrates before whom the matter could be taken. He suggested Recorder Goff as a Judge of long experience and a good man to handle the

Mr. Jerome then asked Judge O'Sullivan point blank if he would consider the evidence and sit as a Magistrate. If it was decided that Mr. Perkins had committed crime he could be held for the Grand Jury. Then Mr. Perkins would employ the best lawyers in the country and the question could be finally settled by the Court of Appeals. "And I," said Mr. Jerome, "shall engage Alton B. Parker to represent the people." Judge Parker has been quoted recently as saying that crimes have been committed by insurance

of the Grand Jury found things left in the air. Judge O'Sullivan refused to act as a Magistrate unless the other Magistrates refused to act. As they left the court room some of the grand jurors were asking each other where they stood. Some of them thought that they had been advised by the Court to indict and others thought that they were told not to indict. Of course, the Grand Jury could act against either the advice of the Court or the District Attorney, but this is seldom done. They

refused to say what they intended to do. Mr. Jerome declined to outline what he intends to do. He will take no action. however, until next week. Questioned as to whether he would go to Recorder Goff and ask him to sit as a Magistrate

he said: "I shall not, as I understand the Recorder is a policyholder in the New York

Life." It was about 1 o'clock when the Grand Jury marched into court. Judge O'Sullivan had his speech prepared and read from it. He said that contributing to a political party by individuals or corporations was not necessarily a crime, "but may they contribute in such a manner as to render the transaction criminal is the question. He then went over the questions propounded by the Grand Jury regarding contributions for the purpose of influencing favorable legislation or preventing hostile legisla-

"In the absence of criminal intent it goes no further," said Judge O'Sullivan, "and no indictment can be found. But if intent to deprive or defraud the true owner of his property be established then you find that the crime of larceny has been committed. It is not within the province of the Court to say whether or no there was intent. That is for you to determine from

all the facts and circumstances in the case. Judge O'Sullivan then reviewed forgery and falsification of books. He said that self gain is not necessary to constitute larceny—it was "whether the taker took it for self gain or the gain of another. It is not within your province to speculate as to how a crime has been avoided. It is your duty to decide whether a crime has been committed, and to do that you should proceed without delay to consider all the legal

evidence available." When Judge O'Sullivan finished he was about to tell the grand-jurors that they